

18-088

AO 91 (Rev. 11/11) Criminal Complaint (approved by AUSA Everett Witherell)

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

Roger Day)

Case No. 18-1227-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 27, 2018 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code,
 Section 2113(a)

Bank robbery

This criminal complaint is based on these facts:

Please refer to the attached affidavit.

☒ Continued on the attached sheet.

Faith E. Greenawalt
 Complainant's signature

Faith E. Greenawalt, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

7/30/18

City and state:

Philadelphia, Pennsylvania

Jacob P. Hart
 Judge's signature

Hon. Jacob P. Hart

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Faith E. Greenawalt, being duly sworn under oath and deposed, state the following:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") assigned to the Philadelphia, Pennsylvania Division, and have been so since July 2013. I am currently assigned to the Violent Crimes Task Force (VCTF) which investigates violations of Federal law, to include robberies of banks, robberies of businesses that affect interstate commerce (also known as Hobbs Act robberies), kidnappings, and fugitives. Previously, I was assigned to the Counterintelligence squad where I investigated Counter Proliferation, among other violations.

2. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging ROGER DAY, date of birth (DOB) [REDACTED] with a violation of Title 18, United States Code, Section 2113(a) (bank robbery).

3. On July 27, 2018, at approximately 2:13 p.m., an unknown black male, hereinafter referred to as "the suspect," robbed Wells Fargo Bank, 9101 Roosevelt Blvd., Philadelphia, PA. The suspect approached the victim teller, D.O., and placed a demand note on the counter which read, "Put some 100, 50, 20 on the counter no Dye Pack." The demand note was written in blue marker on a piece of college ruled, line paper. D.O. complied with the demands of the suspect and provided approximately \$3,441 United States Currency, as well as a GPS Tracking device and bait money. The suspect then departed the bank branch with the money and traveled through the parking lot and into Marshalls, located at 9169 Roosevelt Boulevard, Philadelphia, PA.

4. After the robbery, Philadelphia Police Department officers and members of the FBI Philadelphia Division Violent Crimes Task Force responded to the crime scene for

processing. Once on scene, witnesses and victims were interviewed, video surveillance footage was obtained, and the original demand note was recovered.

5. The suspect was described as a black male, medium length beard, black in color, mid 20s to mid 30s in age, approximately 6 feet in height, approximately 170-180 pounds, slim but muscular build, wearing a white t-shirt, black pants, baseball cap with a white logo on the front, and reading glasses.

6. After the robbery, employees of Wells Fargo Bank contacted Philadelphia Police Department (PPD) and notified officers of the robbery, the description of the suspect, and the suspect's location inside of Marshalls. The GPS tracking device was also pinging at the location of the strip mall where the Marshalls store front is located. Responding PPD officers traveled to Marshalls and spoke with Marshall's Loss Prevention officer, M.P., who told officers there was a black male inside the store who changed his shirt and discarded it inside the store. PPD officers then located and detained the individual, later identified as ROGER DAY, for further investigation.

7. The victim teller from Wells Fargo Bank, D.O., was then brought to Marshalls where s/he positively identified ROGER DAY as the individual who robbed him/her earlier that day.

8. ROGER DAY was then placed under arrest and transported to the Philadelphia Division of the Federal Bureau of Investigation, 600 Arch Street, 8th Floor, Philadelphia, PA. At the time of ROGER DAY's arrest, \$3,470 United States Currency was recovered from his person, as well as the GPS Tracking device and bait money. Also recovered on ROGER DAY's person was a blue Sharpie marker.

9. The following items were recovered from inside Marshalls: one large white Hanes t-shirt; black Zoo York baseball cap with a symbol on the front in white font; prescription reading glasses, and a composition notebook. Your affiant compared these items to the clothing worn by the suspect in the surveillance photographs obtained from the July 27, 2018 robbery of Wells Fargo Bank. Your affiant believes the items recovered from Marshalls are the same items worn by ROGER DAY during the July 27, 2018 robbery of Wells Fargo Bank. The paper in the composition notebook was also similar to the paper used as a demand note.

10. Upon arrival at FBI Philadelphia, ROGER DAY was advised of his *Miranda* warnings, via an FBI FD-395, Advice of Rights form. ROGER DAY stated he understood his rights and subsequently signed the Advice of Rights form, agreeing to waive his rights and speak with agents. ROGER DAY was then interviewed. The interview was video and audio recorded. During the interview, ROGER DAY provided a full confession to the July 27, 2018 robbery of Wells Fargo Bank. In addition, ROGER DAY admitted to committing three (3) additional robberies as follows: July 14, 2018 robbery of Citizens Bank, 6601 Roosevelt Blvd., Philadelphia, PA; July 21, 2018 robbery of Citizens Bank, 1234 Market Street, Philadelphia, PA; and the July 23, 2018 robbery of Citizens Bank, 2516 Welsh Road, Philadelphia, PA.

11. At the conclusion of the interview, ROGER DAY was shown a surveillance photograph and a copy of the demand note recovered from the July 27, 2018 robbery of Wells Fargo Bank, 9101 Roosevelt Blvd., Philadelphia, PA. ROGER DAY positively identified himself as the individual depicted in the surveillance photograph and admitted he wrote the demand note. ROGER DAY signed and dated the surveillance photograph and the copy of the demand note.


12. During the interview, ROGER DAY was also shown the items recovered from Marshalls, as well as the blue Sharpie recovered on his person at the time of his arrest. ROGER

DAY admitted the white t-shirt, baseball cap, and reading glasses were items he wore during the July 27, 2018 robbery of Wells Fargo Bank. ROGER DAY also admitted the composition notebook recovered was the notebook he used to write the demand notes during all four bank robberies. ROGER DAY also admitted the blue Sharpie recovered on his person was the blue Sharpie he used to write each of the four demand notes for the above mentioned robberies.

13. Your affiant has compared the physical appearance and description of ROGER DAY with that of the physical description provided by bank employees. Investigators believe ROGER DAY fits the physical descriptions provided by the bank employees at the Wells Fargo Bank.

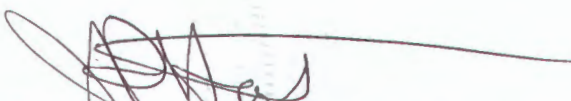
14. The deposits of the Wells Fargo Bank are insured by the Federal Deposit Insurance Corporation (FDIC) and were insured by the FDIC at the time of the aforementioned robbery described above.

15. Because of the aforementioned facts, your affiant believes that there is probable cause to charge ROGER DAY with the robbery of Wells Fargo Bank on July 27, 2018, in violation of Title 18, United States Code, Section 2113(a) (bank robbery).



FAITH E. GREENAWALT
Special Agent
Federal Bureau of Investigation

Sworn to before me
this 30 day of July, 2018



HONORABLE JACOB P. HART
United States Magistrate Judge